

REMARKS

This responds to the Official Action mailed on November 28, 2003, the shortened statutory period of time for filing a response being set to expire on February 28, 2004. Claims 1-15 are currently pending in the application.

I. CLAIM AMENDMENTS

Applicants have amended independent claims 1, 5 and 9 to recite that "a wireless game controller for remote controlling a game machine" comprises "a body", and that the "first group of components" includes a "vibrating module for vibrating the body of the game controller." Applicants submit that there is support in the specification for such claim amendments, and that no new matter has been added.

Applicants have also canceled claims 13-15, and deleted the phrase "at a rated power consumption" from claims 1 and 9.

II. OBJECTIONS TO THE DRAWINGS

The Examiner has objected to Figure 4 because Applicants have failed to label the function of every empty box. Enclosed herewith are proposed drawing corrections that identify the aforementioned functions. Applicant has clearly labeled the video input module (73), the signal generation circuit (88), the depression operation parts (86), and the connector (54). Applicants submit that the drawing corrections are supported by the specification and that no new matter has been added.

III. DEFECTIVE OATH

The Examiner has indicated that the oath is defective, as it contains alterations that are non-initialed and/or non-dated. Enclosed herewith is a new oath executed by the third inventor in compliance with 37 C.F.R. § 1.67(a).

IV. CLAIM REJECTIONS**A. REJECTIONS TO CLAIMS 1-3, 5-7, 9-11 AND 13-15**

The Examiner has rejected claims 1-3, 5-7, 9-11, and 13-15 under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. 07-240968 ("Kazutaka"). Although Applicants disagree with the Examiner's claim rejections, Applicants have amended the claims, thereby rendering the Examiner's rejection moot. It is well established that anticipation under 35 U.S.C. § 102(b) requires a single prior art reference to disclose, either expressly or under principles of inherency, **each and every element** of a claimed invention.

Turning to the elements of the independent claims of the present invention, Applicants' invention is directed toward a wireless game controller for remote controlling a game machine. Furthermore, the game controller comprises a body and vibrating module for vibrating the body of the game controller. Thus, for a reference to anticipate Applicants' invention, the reference must disclose each of these elements.

Katuzaka does not disclose or suggest *all* of the limitations of a game controller according to the present invention. Kazutaka does not disclose or suggest the feature of a wireless game controller for remote controlling a game machine, nor does it suggest a game controller having a vibrating module for vibrating the body of the game controller. Kazutaka is directed towards remote control equipment for a hot-water supply machine. It discloses the use of a solar battery and a dry cell to supply power to the remote control. The Kazutaka controller detects whether a low voltage or high voltage is needed, and directs current from either a dry cell or a solar cell. When a low current is needed, the Kazutaka controller will direct current from the solar cell, whereas, when a higher voltage is needed, it directs current from the dry

cell. As Kazutaka does not disclose or suggest the claimed features of Applicants' invention, the Examiner's anticipation rejection cannot stand.

B. § 103 REJECTIONS TO DEPENDENT CLAIMS 4,8,12

The Examiner has rejected dependent claims 4, 8, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Kazutaka, in view of Japanese Patent No. 01-135163 ("Ryoichi"). The Examiner contends that although Kazutaka does not disclose a charge terminal connected to a secondary battery, Ryoichi supplements the teachings of Kazutaka, as it teaches a charge terminal provided to charge a secondary battery. The Examiner therefore contends that it would have been obvious to one of skill in the art at the time the invention was made to modify the invention of Kazutaka with the charge terminal of Ryoichi.

Applicants note that in light of the present amendments, the Examiner's obviousness rejection is also moot. The Examiner has rejected claims 4, 8, and 12, which depend from claims 1, 5, and 9, respectively. The Examiner's rejection is premised on the notion that Kazutaka allegedly anticipates the base claims, and that the additional limitation of a charge terminal is obvious in view of Ryoichi. However, as set forth above, Kazutaka fails to teach or suggest the limitations of the base claim (i.e., a game controller for controlling a game machine comprising a body and a vibrating module for vibrating the body of the game controller). Furthermore, the teachings of Ryoichi fail to overcome the deficiencies of Kazutaka. The abstract of Ryoichi indicates that it is directed toward a remote dial unit for an automobile, and not a remote game controller. Moreover, Ryoichi does not disclose a vibrating module for vibrating the body of the game controller. Accordingly, if Ryoichi were combined with the teachings of Kazutaka, one skilled in the art would not be in possession of

Applicants' game controller, let alone a game controller that also includes a charge unit connected to a secondary battery. Thus, the Examiner's obviousness rejection cannot stand.

C. CONCLUSION

For each of the aforementioned reasons, Kazutaka, either alone or in combination with Ryoichi, does not teach or suggest the limitations of Applicants' invention. It is respectfully submitted that Applicants have overcome the Examiner's § 102(b) and § 103(a) rejections.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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